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9 IN THE UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 JOSE MARIA ZAVALA-REYES,
15 Defendant.
16

CASE NO. 1:20-MJ-00039-SAB

STIPULATION FOR EXTENSION OF TIME FOR
PRELIMINARY HEARING PURSUANT TO RULE
5.1(d) AND EXCLUSION OF TIME

DATE: March 20, 2020
TIME: 2:00 p.m.
COURT: Hon. Barbara A. McAuliffe

17 Plaintiff United States of America, by and through its attorney of record, Assistant United States
18 Attorney LAURA D. WITHERS, and defendant Jose Maria Zavala-Reyes, both individually and by and
19 through his counsel of record, MATTHEW LEMKE, hereby stipulate as follows:

20 1. The Complaint in this case was filed on March 4, 2020, and defendant first appeared
21 before a judicial officer of the Court in which the charges in this case were pending on March 6, 2020.
22 The court set a preliminary hearing date of March 20, 2020.

23 2. By this stipulation, the parties jointly move for an extension of time of the preliminary
24 hearing date to April 3, 2020, at 2:00 p.m., before the duty Magistrate Judge, pursuant to Rule 5.1(d) of
25 the Federal Rules of Criminal Procedure. The parties stipulate that the delay is required to allow the
26 defense reasonable time for preparation, and for the government's continuing investigation of the case.
27 The parties further agree that the interests of justice served by granting this continuance outweigh the
28 best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

3. The parties agree that good cause exists for the extension of time, and that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases. Therefore, the parties request that the time between March 20, 2020, and April 3, 2020, be excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

IT IS SO STIPULATED.

Dated: March 16, 2020

McGREGOR W. SCOTT
United States Attorney

/s/ LAURA D. WITHERS
LAURA D. WITHERS
Assistant United States Attorney

Dated: March 16, 2020

/s/ Matthew Lemke
MATTHEW LEMKE
Counsel for Defendant
JOSE MARIA ZAVALA-
REYES

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10 IN THE UNITED STATES DISTRICT COURT

11 EASTERN DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,
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14 Plaintiff,
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16 v.
17 JOSE MARIA ZAVALA-REYES,
Defendant.

CASE NO. 1:20-MJ-00039-SAB

FINDINGS AND ORDER EXTENDING TIME FOR
PRELIMINARY HEARING PURSUANT TO RULE
5.1(d) AND EXCLUDING TIME

DATE: March 20, 2020

TIME: 2:00 p.m.

COURT: Hon. Barbara A. McAuliffe

18
19 The Court has read and considered the Stipulation for Extension of Time for Preliminary Hearing
20 Pursuant to Rule 5.1(d) and Exclusion of Time, filed by the parties in this matter on March 16, 2020.

21 The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order,
22 demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule
23 5.1(d) of the Federal Rules of Criminal Procedure.

24 Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests
25 of justice served by granting this continuance outweigh the best interests of the public and the defendant
26 in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court further finds that the extension of time would
27 not adversely affect the public interest in the prompt disposition of criminal cases.
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THEREFORE, FOR GOOD CAUSE SHOWN:

1. The date of the preliminary hearing is extended to **April 3, 2020, at 2:00 p.m.**

2. The time between March 20, 2020, and April 3, 2020, shall be excluded from calculation pursuant to 18 U.S.C. § 3161(h)(7)(A).

3. Defendants shall appear at that date and time before the Magistrate Judge on duty.

IT IS SO ORDERED.

Dated: March 16, 2020

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE